

### SUPPORT FOR THE AMENDMENT

This Amendment cancels Claim 21; and amends Claims 15, 22 and 24. Support for the amendments is found in the specification and claims as originally filed. In particular, support for Claim 15 is found in canceled Claim 21. No new matter would be introduced by entry of these amendments.

Upon entry of these amendments, Claims 15-20 and 22-27 will be pending in this application. Claim 15 is independent.

### REQUEST FOR RECONSIDERATION

Applicants respectfully request entry of the foregoing and reexamination and reconsideration of the application, as amended, in light of the remarks that follow.

The present invention relates to a perpendicular magnetic recording medium including a substrate; a nonmagnetic underlayer formed on the substrate; and a magnetic layer formed on the underlayer. The perpendicular magnetic recording medium provides high recording resolution by magnetically isolating magnetic grains in a magnetic film, and has high productivity and high thermal fluctuation resistance. Specification at page 4, lines 8-12. The underlayer makes it possible to reduce the crystal grain size in the magnetic layer and to isolate the crystal grains while the c-axis orientation of the magnetic crystal having the L1<sub>0</sub> structure is maintained.

Claims 15-17, 19-20 and 25-26 are rejected under 35 U.S.C. §102(a), (b) and/or (e) over U.S. Patent No. 6,599,646 ("Suzuki"). In addition, Claims 15-20 and 25-26 are rejected under 35 U.S.C. §103(a) over Suzuki. However, Claim 21 is not rejected over Suzuki. Claim 21 is canceled and incorporated into independent Claim 15. Thus, the rejections over Suzuki should be withdrawn.

Claims 21-24 and 27 are rejected under 35 U.S.C. §103(a) over Suzuki in view of U.S. Patent Application Publication No. US 2004/0191578 A1 ("Chen"). Claim 21 is canceled and incorporated into independent Claim 15. Applicants respectfully traverse the rejection as it applies to independent Claim 15 because Chen is not prior art to the above-identified application. Chen has a U.S. filing date of March 24, 2003. In contrast, the above-identified application is entitled to the priority of Japanese Application No. JP 2002-346268 of November 28, 2002. To perfect Applicants' claim to priority under 37 C.F.R. § 1.55(a)(4), attached is an English-language translation of the JP 2002-346268 priority document and a statement that the translation is accurate. Because Chen is not prior art to the above-identified application, the rejection under 35 U.S.C. §103(a) over Suzuki in view of Chen should be withdrawn.

In view of the foregoing amendments and remarks, Applicants respectfully submit that the application is in condition for allowance. Applicants respectfully request favorable consideration and prompt allowance of the application.

Should the Examiner believe that anything further is necessary in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned attorney at the telephone number listed below.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.  
Norman F. Oblon



Corwin P. Umbach, Ph.D.  
Registration No. 40,211

Attached:

English-language translation of JP 2002-346268 and translator's certification

Customer Number

**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 06/04)  
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